



**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION**

DAVID W. MAYER,

§

Plaintiffs,

§

v.

CIVIL ACTION NO. 1:09-CV-1018-TH

**GOLDEN RULE INSURANCE COMPANY and
UNITED HEALTHCARE INSURANCE COMPANY**

§

Defendants.

§

ORDER

Before the Court is the *Defendants' Motion to Compel* [Clerk's Docket No. 10], filed on July 23, 2010. Plaintiff has not filed a response to the motion. The Court shall **GRANT** the motion.

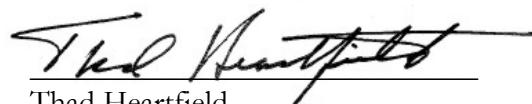
Defendants served Plaintiff with their request for production of documents ("Requests") and their first set of interrogatories ("Interrogatories") on March 18, 2010. Plaintiff has yet to respond. Under Rule 33 of the Federal Rules of Civil Procedure, a responding party must serve its answers and any objections within 30 days after being served with the interrogatories. Fed. R. Civ. Pro. 33(b)(2). Any objections not stated in a timely objection are waived unless the court, for good cause shown, excuses the failure. *Id.* Under Rule 34 of the Federal Rules of Civil Procedure, a responding party must respond to a request of production of documents, in writing, within 30 days after being served. Fed. R. Civ. P. 34(b)(2)(A). Rule 34, unlike Rule 33, does not state that untimely objections are waived.

Wherefore, it is **ORDERED** that Plaintiff shall respond, in writing, to the Requests within ten (10) days of this order.

It is further **ORDERED** that Plaintiff shall answer the Interrogatories, without asserting objections, which were waived by Plaintiff's failure to timely respond to the same, within ten (10) days of this order.

SO ORDERED.

SIGNED this the 13 day of August, 2010.



Thad Heartfield
United States District Judge